

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
TERRE HAUTE DIVISION

## **ORDER RECONSIDERING SCREENING ORDER**

Plaintiff Christopher Underwood currently is an inmate at Wabash Valley Correctional Facility but was previously incarcerated at Pendleton Correctional Facility. When screening Mr. Underwood's complaint as required by the Prison Litigation Reform Act, the Court determined that he had failed to state any claims against Grievance Supervisor Christiana Conyers and Grievance Specialist Taylor McCorkle at Pendleton and directed that they be dismissed as defendants. Dkt. 9 at 7. Specifically, the Court concluded that Mr. Underwood had adequately stated Eighth Amendment claims of deliberate indifference to a serious medical need against Dr. John Mershon and Centurion, based on a delay in treating Mr. Underwood's severe pain beginning in April 2023. But, as to Ms. Conyers and Ms. McCorkle, the screening order concluded that "[b]ecause Mr. Underwood had no expectation of a particular outcome of his grievances or complaints there is no viable claim against Grievance Supervisor Conyers or Grievance Specialist McCorkle that can be vindicated through 42 U.S.C. § 1983."

*Id.*

Mr. Underwood has filed a motion to reconsider the screening order. He asserts that, based on his allegations that Ms. Conyers and Ms. McCorkle failed to take any action in response to his grievances, they also should be implicated in the claims related to a delay in his receipt of medical treatment. The Court reiterates the allegations against Ms. Conyers and Ms. McCorkle: on May 14, 2023, Mr. Underwood submitted a grievance about the lack of response to his healthcare requests. Mr. Underwood did not receive a response to this grievance, and he filed an appeal from the non-response on June 5. Also, on May 23, Mr. Underwood filed a request for interview with a grievance specialist because of the non-response. On June 1, Grievance Supervisor Conyers responded that the grievance department had not received any grievances from him since December 2022. On November 3, 2023, Grievance Specialist McCorkle formally responded to and denied this grievance.

Mr. Underwood has shown that Eighth Amendment deliberate indifference claims should proceed against Ms. Conyers and Ms. McCorkle. *See Perez v. Fenoglio*, 792 F.3d 768, 781-82 (7th Cir. 2015) (holding that inmate adequately stated Eighth Amendment deliberate indifference claims against prison grievance officials who failed to take any action in response to grievances about inadequate health care and that district court should have more liberally construed complaint at screening stage); *cf. Greeno v. Daley*, 414 F.3d 645, 656 (7th Cir. 2005) (holding grievance officials were not liable for Eighth Amendment deliberate indifference claims where grievances were investigated and referred to medical providers, but observing "[p]erhaps it

would be a different matter if [the grievance specialist] had ignored [the inmate]'s complaints entirely").

Therefore, Mr. Underwood's motion for reconsideration is **GRANTED**. Dkt. [13]. The **clerk is directed** to re-add Grievance Supervisor Christian Conyers and Grievance Specialist Taylor McCorkle as defendants on the docket.

The **clerk is directed** pursuant to Fed. R. Civ. P. 4(c)(3) to issue process to defendants Conyers and McCorkle in the manner specified by Rule 4(d). Process shall consist of the complaint filed on November 14, 2024, dkt. [2], applicable forms (Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons), the original screening order, dkt. [9], and this Order.

The **clerk is directed** to serve the Indiana Department of Correction employees electronically.

Nothing in this Order prohibits the filing of a proper motion pursuant to Rule 12 of the Federal Rules of Civil Procedure.

**SO ORDERED.**

Date: 11/18/2025

James Patrick Hanlon

James Patrick Hanlon  
United States District Judge  
Southern District of Indiana

Distribution:

Electronic service to Indiana Department of Correction:  
Grievance Supervisor Christiana Conyers  
Grievance Specialist Taylor McCorkle  
(All at Pendleton Correctional Facility)

All ECF-registered counsel of record via email

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